

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

KIMBERLY MICHELLE HANSEN,

Plaintiff,

v.

ANDREW M. SAUL,

Commissioner of Social Security,

Defendant.

No. 4:20-CV-00063-WJE

**ORDER**

On October 26, 2020, Plaintiff Kimberly Hansen filed a motion for an award of attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. (Doc. 20). The Commissioner has responded to the pending motion and states that the parties have agreed on an amount to be paid. (Doc. 22).

Under the EAJA, a prevailing party in an action brought against the United States shall be awarded attorney fees unless the position of the United States was “substantially justified” or special circumstances make an award unjust. 28 U.S.C. § 2412(d)(1)(a). Plaintiff was a prevailing party in this action, an award is appropriate, and the amount of fees agreed to by the parties is reasonable.

THEREFORE, IT IS ORDERED that the motion of Plaintiff for an award for attorney fees under the EAJA in the amount of \$6,750.00 is granted. (Doc. 20). It is further

ORDERED that an award of attorney fees is to be paid by the Social Security Administration. It is further

ORDERED that because Plaintiff has assigned any fee award to her attorney, the Social Security Administration shall pay the award of attorney fees in the amount of \$6,750.00, less any offsets for federal debts owed by Plaintiff, to Plaintiff’s attorney, Roger M. Driskill. *See Astrue v. Ratliff*, 560 U.S. 586, 597 (2010) (holding that the EAJA fee is payable to plaintiff and is subject

to offset to satisfy any pre-existing debt plaintiff may owe the United States).

Dated this 2nd day of November, 2020, at Jefferson City, Missouri.

*Willie J. Epps, Jr.*

Willie J. Epps, Jr.  
United States Magistrate Judge